



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Reporting Code: Reporting requirements for the Coordinator

Container deposit scheme

Department of Water and Environmental Regulation
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1. Purpose

Regulation 3 of the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019* (the Regulations) defines the Reporting Code as a document which sets out the information that the Coordinator is required to include on the scheme's website or in a report. This document is the Reporting Code for that purpose.

2. Coordinator reporting obligations

The Regulations require that the Coordinator must establish and maintain a website which contains the information required to be published, including an annual report, quarterly report and monthly report.

Section 3 of the Reporting Code specifies the reporting requirements by the frequency of reporting.

3. Reporting requirements

3.1 Annual report

The Regulations set out the process and the timing of:

- (i) submission of the annual report to the Minister
- (ii) publication of the annual report on the Coordinator's website.

Table 1 specifies the annual reporting requirements for the Coordinator throughout the duration of the CDS.

Table 1: Annual reporting requirements for the Coordinator after commencement of the CDS

Ref	Reporting requirement	Publication requirements
A1	Annual financial statements for the year that have been audited by an independent auditor.	Published annual report and website
A2	<p>The Coordinator's total operating cost and revenue breakdown for the reporting period. This cost and revenue information must include but is not limited to:</p> <ul style="list-style-type: none"> a) amounts paid or received under the following agreements or arrangements, broken down by type of agreement, which are: <ul style="list-style-type: none"> (i) supply agreements (ii) refund point agreements, including the refund amount and the refund point handling fees, to be broken down by region (iii) material recovery agreements, broken down by type of material recovery facility (iv) export rebate agreements (v) agreements with processors (vi) agreements with logistics providers (vii) arrangements with recyclers b) Coordinator administration costs including, and broken down by: <ul style="list-style-type: none"> (i) staff costs (including directors' fees and employee costs) (ii) operating costs, including rent, office supplies and general expenses (iii) professional fees (including payments to advisers and service providers, and insurances) (iv) taxation (where applicable). 	Report to Minister

Ref	Reporting requirement	Publication requirements
A3	<p>The number of agreements by agreement type in force at the end of the reporting period, and new agreements signed and agreements terminated during the reporting period. Agreement types include:</p> <ul style="list-style-type: none"> a) supply agreements b) refund point agreements c) material recovery agreements d) export rebate agreements e) agreements with processors f) agreements with logistics providers g) arrangements with recyclers. 	Published annual report and website
A4	<p>Current and historical financial year figures (up to five years from the appointed day) showing the amounts charged to first responsible suppliers under supply agreements; including the total annual amount charged to first responsible suppliers, as well as the cost charged per material type and aggregated by material type (materials are to be grouped together by material type but not separated by reference to the first responsible supplier in order to maintain confidential information of first responsible suppliers).</p>	Published annual report and website
A5	<p>Current and historical financial year figures (up to five years from the appointed day) showing the average rate per region of the handling fee payable to refund operators during the reporting period.</p>	Report to Minister
A6	<p>Current and historical financial year figures (up to five years from the appointed day) showing total numbers of containers sold in Western Australia by container material type.</p>	Published annual report and website
A7	<p>Total number of containers that have been collected by material recovery facilities and total number of containers returned to refund points, broken down by material type:</p> <ul style="list-style-type: none"> a) across the state b) by region <p>for the reporting period.</p>	Published annual report and website

Ref	Reporting requirement	Publication requirements
A8	Estimated total weight of CDS containers processed by material recovery facilities, broken down by material type, including mixed plastic, for the reporting period. Include estimated container weight factor for each material type.	Published annual report and website
A9	Actual statewide recovery rate for the current and previous three reporting periods (where applicable) by material type for material recovery facilities and refund points. The results are to be compared with the target which is to be achieved in accordance with the Regulations.	Published annual report and website
A10	The number of each type of refund point (as defined in the Minimum Network Standards) for the metropolitan area and each region operating at the end of the reporting period. Total refund points per region not meeting minimum operating hours as required in the Minimum Network Standards. Explanation where minimum network standards refund points for each region are not meeting minimum operating hours. a) Refund points for each region that do not provide disability access.	Published annual report and website
A11	Destination (overseas, interstate, local) of collected or returned containers for each material type for the reporting period: a) where the material is sold to a recycler based in Western Australia, for each material type: weight of material and destination country or state of material if known b) where the material is sold to a recycler based in an Australian state or territory other than Western Australia, for each material type: weight of material and destination country or state of material if known c) where the material is sold to a recycler based overseas, for each material type: weight of	Published annual report and website

Ref	Reporting requirement	Publication requirements
	material by destination country of the first recipient and subsequent recipient if known.	
A12	<p>The number of CDS services that are operated (or jointly operated) by social enterprises, including a breakdown by region, in force at the end of the reporting period, and new operations commencing and operations terminated during the reporting period.</p> <p>A social enterprise is defined as an organisation that has –</p> <p>A primary social, cultural or environmental purpose, and;</p> <p>A substantial proportion of income through trade, and;</p> <p>Investing efforts and resources into purpose so public benefit outweighs private benefit.</p> <p>This includes, but is not limited to, First Nations businesses, B Corps, charities, community groups</p> <p>A12 outcome is to report numbers of participating -</p> <ul style="list-style-type: none"> • Social enterprises • For profits • Local governments 	Published annual report and website
A13	Total aggregated payments to social enterprises for CDS services, including a breakdown by region for the reporting period.	Published annual report and website
A14	<p>The number of customer scheme accounts that are registered to social enterprises.</p> <p>Total aggregated payments to social enterprises through customer scheme accounts for the reporting period.</p>	Published annual report and website
A15	Total employees and trainees by region involved in CDS services.	Published annual report and website

Ref	Reporting requirement	Publication requirements
	<p>Total number of employees with disability – by region.</p> <p>Total number of Aboriginal employees – by region</p>	
A16	Actions taken in connection with any suspected or confirmed fraudulent or misappropriated claims for payment made by refund point operators, material recovery facility operators or any other person during the reporting period.	Report to Minister
A17	The number of false claims referred to the department responsible for administering Part 5A of the <i>Waste Avoidance and Resource Recovery Act 2007</i> (the Act) for enforcement action during the reporting period.	Published annual report and website
A18	The amount of funds spent by the coordinator on public education and awareness during the reporting period; a summary of actions taken to promote the CDS and refund point locations during the reporting period; and results of surveys undertaken on the level of public awareness about the CDS.	Published annual report and website
A19	Levels of customer satisfaction with the operation of the CDS based on an annual survey. The survey must include representative samples of populations from all regions and regional categories.	Report to Minister
A20	Levels of refund point operator and material recovery facility operator satisfaction with the Coordinator of the CDS based on an annual survey. The survey must invite participation from all refund point operators and material recovery facility operators. Results of the survey to be broken down by region and by regional categories.	Report to Minister
A21	The number and type of complaints that the Coordinator has received from CDS services or scheme participants during the reporting period; the Coordinator's actions taken in response to each of the complaints; and outcomes of each of the complaints.	Report to Minister

Ref	Reporting requirement	Publication requirements
A22	The number and type of complaints that the Coordinator has received from members of the public during the reporting period; the Coordinator's actions taken in response to each of the complaints; and outcomes of each of the complaints.	Report to Minister
A23	Annual summary of audits undertaken of first responsible suppliers to check that the number of containers that each first responsible supplier has declared to have supplied within the period is an accurate reflection of the actual number of containers supplied; and discrepancies between what first responsible suppliers have reported to the Coordinator, and the audit findings.	Report to Minister
A24	<p>A summary of any suspected or alleged breach of environmental law or occupational health and safety incidents occurring in the course of collection, handling or transportation of containers in connection with the operation of the CDS during the reporting period resulting in either:</p> <ul style="list-style-type: none"> a) the requirement of a person to notify a public office holder or public authority if a particular incident occurs b) a breach confirmed by the relevant authority, or investigation by the relevant authority of a potential breach of an environmental law or an occupational health and safety law. 	Published annual report and website
A25	Details of any directions given by the Minister under section 47ZP; actions taken in response; and any outcomes resulting from these actions.	Report to Minister
A26	<p>To the extent allowable by law, details of any breaches or non-compliances by any person of the Act or Regulations that has been confirmed by the relevant authority, including but not limited to:</p> <ul style="list-style-type: none"> a) the reasons for any failure of the Coordinator to meet a performance target during the reporting period b) the reasons for any failure of the Coordinator to comply with the minimum network standards during the reporting period, 	Published annual report and website

Ref	Reporting requirement	Publication requirements
	and how these breaches or non-compliances were or are being rectified.	
A27	Any new arrangements or departures from the existing confidentiality arrangements that the Coordinator has undertaken during the reporting period for the protection of confidentiality of commercial information provided to the Coordinator by first responsible suppliers.	Report to Minister
A28	<p>WHS Compliance Report</p> <ul style="list-style-type: none"> • WHS trends identified • Actions undertaken by WARRRL to address trends <ul style="list-style-type: none"> ○ Education in Webinars/Operator Essentials communications/Other ○ Safety alerts ○ RPO Portal documents/templates provided ○ Dedicated emails <p>WHS Communication and Consultation to Scheme participants and topics (Annual Compliance Report)</p>	Report to Minister

3.2 Quarterly

The Regulations set out the process and the timing of submission of the quarterly report to the Minister.

Table 2 specifies the quarterly reporting requirements for the Coordinator on commencement of the CDS and throughout the duration of the CDS. Where the last day of a reporting period falls on a day that is after the commencement of the CDS, the reporting requirements in Table 4 apply.

Table 2: Quarterly reporting requirements for the Coordinator after commencement of the CDS

Ref	Reporting requirement	Publication requirements
Q1	The number of first responsible suppliers with whom a supply agreement has been in force at any time during the reporting period.	Website
Q2	Total number of containers sold in Western Australia by container material type.	Website
Q3	The number of containers for which refund amounts have been paid by refund point operators during the reporting period, by region and by material type.	Website
Q4	The number of containers for which recovery amounts have been paid by the Coordinator to material recovery facility operators during the reporting period.	Website
Q5	Estimated total weight of material types which have been collected for recycling under the CDS, listed by material types (include estimated container weight factor for each material type in the case of MRF data) Estimated total weight collected for recycling for refund points and Material Recovery Facilities (MRFs)	Website
Q6	Any information specified in the business plan or the strategic plan that is to be in the quarterly report.	Website
Q7	The number and type of complaints that the Coordinator has received from CDS services or scheme participants during the reporting period; the Coordinator's actions taken in response to each of the complaints; and outcomes of each of the complaints.	Report to Minister
Q8	The number and type of complaints that the Coordinator has received from members of the public during the reporting period; the Coordinator's actions taken in	Report to Minister

Ref	Reporting requirement	Publication requirements
	response to each of the complaints; and outcomes of each of the complaints.	

3.3 Monthly

The Regulations set out the process and the timing of monthly reporting requirements to the Minister.

Table 3 specifies the monthly reporting requirements for the Coordinator on written notice by the Minister.

Table 3: Monthly reporting requirements for the Coordinator on written request by the Minister

Ref	Reporting requirement	Publication requirements
M1	The location and hours of operation of all refund points and whether the refund point is operated by or jointly with a social enterprise, and if so, where possible, the name of the social enterprise.	Website
M2	The number of containers for which refund amounts have been paid by refund point operators during the reporting period, by region and by material type.	Website
M3	Total weight of various material types collected and delivered for recycling under the CDS, listed by material types.	Website
M4	The balance of the scheme account on the last day of the month, which has been verified by the CEO of the Coordinator.	Report to Minister
M5	Any matters specified by the Minister in a written notice	Report to Minister

4. Definitions

Terms within this Reporting Code have the same meaning as defined within the Act and the Regulations. Additional terms and abbreviations used can be defined as follows:

Definitions and abbreviations

Act	<i>Waste Avoidance and Resource Recovery Act 2007</i>
appointed day	The day fixed by the Minister by order published in the gazette to be the appointed day for the purpose of section 47M of the Act

CDS	The container deposit scheme established pursuant to the Act
CDS services	Services within the CDS that are provided in the chain of custody from the receipt of the eligible container to final provision to a recycler or their agent. Includes but is not limited to refund points, processors and transport logistics
complaint	A formal lodgement (written or verbal) of a statement of dissatisfaction with the implementation or operation of the CDS.
container recovery rate	<p>The proportion of containers returned or collected during the period, expressed as a percentage, worked out using the formula:</p> $R = \frac{C+M}{S-E} \times 100$ <p>Where:</p> <ul style="list-style-type: none"> • R is the container recovery rate for the period • C is the number of containers returned to a refund point during the period • M is the number of containers collected or received by an MRF operator during the period (other than containers returned to a refund point) • S is the number of containers used for beverage products which were first supplied in the state during the period • E is the number of scheme containers (as defined in section 47P(1) of the Act) used for beverage products that were exported (as set out in section 47P(2) of the Act) by a person during the period
customer scheme account	Electronic customer accounts managed by the Coordinator and delivered through the Coordinator's IT platform, which allow customers (including individuals, businesses and social enterprises) to register and be paid refund amounts directly to their nominated bank account by the Coordinator at the direction of refund point operators.
financial statements	Income statement, balance sheet and cash flow report
minimum network standards	The document titled <i>Minimum network standards: Refund point locations and hours of operation</i> prepared pursuant to the Regulations
quarter	<p>In a financial year, 'quarter' refers to the following periods:</p> <ol style="list-style-type: none"> 1 July to 30 September 1 October to 31 December

	c) 1 January to 31 March d) 1 April to 30 June ‘quarterly’ has a corresponding meaning
region	As defined in the minimum network standards
regional categories	As defined in the minimum network standards
Regulations	<i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019</i> , as amended from time to time
reporting period	Refers to the period under which the term is respectively mentioned (i.e. annual, quarterly, monthly)
social enterprises	<p>: A social enterprise is defined as an organisation that has –</p> <p>A primary social, cultural or environmental purpose, and;</p> <p>A substantial proportion of income through trade, and;</p> <p>Investing efforts and resources into purpose so public benefit outweighs private benefit.</p> <p>This includes, but is not limited to, First Nations businesses, B Corps, charities, community groups</p> <p>a)</p>
type of refund point	These align with the requirements of the minimum network standards: <ul style="list-style-type: none"> • full-time refund points will provide a minimum of 35 hours per week, including at least four weekend hours • flexible refund points will provide a minimum of 16 ordinary hours per fortnight, including at least eight weekend hours.

5. Review of Reporting Code

The Reporting Code will be reviewed, at a minimum, within five years of its publication, but may be reviewed more frequently when considered appropriate by the Chief Executive Officer of the Department of Water and Environmental Regulation.